

UNITED STATES DEPARTMENT OF TRANSPORTATION
RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION
OFFICE OF PIPELINE SAFETY
GAS PIPELINE SAFETY VIOLATION REPORT

1. <u>Inspector Name</u> Chavis Bianco	2. <u>Date of Inspection</u> July 11, 2019	3. <u>CPF #</u>				
4. <u>Pipeline Operator/Owner</u> Delmarva Power and Light (DP&L)						
5a. <u>Headquarters Address</u> 630 Martin Luther King Jr. Boulevard Wilmington, DE 19899				5b. <u>Telephone No.</u> (302) 429-3848		
6. <u>Inspection Locations</u> 927 Clydesdale Drive Bear, DE 19701 6 Jobs Lane Newark, DE 19711				7. <u>Inspection Unit</u> No. <u>1</u> of <u>1</u>		
8. <u>Portion of System Inspected</u> (Describe location & facility) a) Construction inspection of the new gas service at 927 Clydesdale Drive, Bear DE in the development of Rolling Meadows by AUI Power, a contractor for DP&L. b) Construction inspection of a new gas main along Jobs Lane in Newark DE using a directional drill by Brandywine Construction Company, Inc. (BCCI), a contractor for DP&L.						
9. <u>Nature and Size of Operator</u>						
9a. <u>Type of Operator</u> <input type="checkbox"/> LNG (interstate) <input type="checkbox"/> LNG (intrastate) <input type="checkbox"/> LPG <input type="checkbox"/> Master Meter <input checked="" type="checkbox"/> Other Distribution <input type="checkbox"/> Gathering <input type="checkbox"/> Transmission (interstate) <input type="checkbox"/> Transmission (intrastate)				9b. <u>Type of Pipe in System</u> <u>Inspected</u> <input type="checkbox"/> Cast Iron <input type="checkbox"/> Steel <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Other - 9c. <u>Size of Operator</u> (No. of Miles/Customers/Storage Capacity) 1,027.906/54,964/72,500 Bbls		
10. <u>Nature of Probable Violations</u> (Check as many as applicable)						
<input checked="" type="checkbox"/> 1. Problem in Design/Materials <input checked="" type="checkbox"/> 2. Problem in Construction <input type="checkbox"/> 3. Welding or Joining <input type="checkbox"/> 4. Problem in LNG Equipment <input type="checkbox"/> 5. Test Requirements or MAOP Qualification <input type="checkbox"/> 6. Corrosion Control <input type="checkbox"/> 7. Pressure Control <input type="checkbox"/> 8. Other Maintenance/Monitoring <input checked="" type="checkbox"/> 9. Personnel Qualifications & Training <input type="checkbox"/> 10. Fire Protection <input type="checkbox"/> 11. Security <input type="checkbox"/> 12. Anti-Drug Program <input type="checkbox"/> 13. Other Operations <input type="checkbox"/> 14. Reporting Requirements <input checked="" type="checkbox"/> 15. Other <u>Securing of customer riser/meter sets</u> <input type="checkbox"/> 16. Inadequate/No Procedures						
<input type="checkbox"/> A. Construction <input type="checkbox"/> D. Training <input type="checkbox"/> B. Corrosion Control <input type="checkbox"/> E. Maintenance <input type="checkbox"/> C. Operations						

Violation No. 1

11a. CFR ☐ Violated: 49 CFR §192.379 New service lines not in use.

11b. Summarize what the regulation requires that operator did not do:

Contractor has not properly either locked out or used a mechanical fitting to secure the newly install service risers. The service risers have all been purged and contain natural gas. Regulations require the risers to be properly secured which they were not.

12. Provide detailed information about violation:

AUI is a contractor working for the Operator, Delmarva Power and Light. They have installed 25 services from June 18, 2019 to July 11, 2019 in the Rolling Meadows development located in Bear, DE. After purging of the new gas service at 927 Clydesdale Drive, the employee closed the stopcock on the riser and put a zip-tie on it. This is not in compliance as a lock, mechanical device/fitting, or the customer's piping must be physically disconnected from the gas supply and the open pipe ends sealed. Zip-tying the valve is not an approved method for securing the riser.

A Written Warning Letter dated March 15, 2016 was issued to Delmarva Power and Light for not securing the risers on Pearl Street in Wilmington, DE after an inspection conducted on March 10, 2016.

13. Public and/or environmental concerns in area of violation:

By not properly locking out the new services the public is in harm's way. Any person around the riser could easily open the stopcock and have a steady flow of natural gas.

14a. Person Interviewed: Suzanne Topor of DP&L **Title:** Supervisor Gas, Gas Engineering

14b. Comments of person interviewed: Per email dated July 12, 2019 at 7:41 am

"During your field inspection you witnessed that services installed were not properly locked off and zip ties were being utilized. Brent Lobley spoke with you regarding this concern later in the afternoon regarding this, advising the crew leader does not have a barrel lock key. Brent Lobley went with the crew leader and all services were properly locked off with barrel locks by 3:00 pm on Thursday 7/11/19. Going forward all services will be properly locked off utilizing barrel locks."

Continuation Sheet

Violation No. 2

11a. CFR ☐ Violated: 49 CFR §192.513(c) Test requirements for plastic pipelines.

11b. Summarize what the regulation requires that operator did not do:

Contractor pressure tested six services at 50 PSI and not at 150% of maximum operating pressure.

12. Provide detailed information about violation:

AUI is a new contractor working for the Operator, Delmarva Power and Light. They have installed 25 services from June 18, 2019 to July 11, 2019 in the Rolling Meadows development located in Bear, DE. An employee from AUI asked the onsite PSC Inspector what should the pressure test of the service line be tested at? The PSC Inspector did not answer but asked at what pressure were they testing? The employee stated 50 PSI. The regulations under 192.513(c) requires 150% of maximum operating pressure or 50 psi, whichever is greater. Under Delmarva's Construction O&M it states pressure testing of service lines should be at 90 to 100 PSI (G8.8, 5.2.1). Neither, the regulations or Operator's procedures were being followed.

13. Public and/or environmental concerns in area of violation:

When a contractor working for the operator does not follow the Operator's written procedures, the safety of the operator personnel and the public are at risk.

14a. Person Interviewed: Suzanne Topor of DP&L **Title:** Supervisor Gas, Gas Engineering

14b. Comments of person interviewed: Per email dated July 12, 2019 at 1:53 pm

"There are a total of 5 services that the operators have admitted to testing at the wrong pressure. These 5 services will be dug back up and re-tested at the proper pressure."

14c. Person Interviewed: Suzanne Topor of DP&L **Title:** Supervisor Gas, Gas Engineering

14d. Comments of person interviewed: Per email dated July 15, 2019 at 4:52 pm

"Correction there are six services in question the install dates of 7/9/19 & 7/10/19."

Continuation Sheet

Violation No. 3

11a. CFR ☐ Violated: 49 CFR 192.605(a) - Procedural manual for operations, maintenance, and emergencies.

11b. Summarize what the regulation requires that operator did not do:

Each operator shall prepare and follow for each pipeline, a manual of written procedures for conducting operations and maintenance activities and for emergency response.

12. Provide detailed information about violation:

a) The operator has a written procedure which states the following:

"Service Line Pipeline Test Requirements

The test pressure shall be between 90 and 100 psig, and the temperature of the plastic pipe shall not be more than 100 F during the test."

AUI Power, a contractor of DP&L, had been pressure testing the new services in the development at 100 PSIG however, for some unknown reason changed on July 9, 2019 and pressure tested a total of six services at 50 PSIG. The reason for the change is not known at this time. The operator's procedures which reflect regulations require pressure testing service lines between 90 and 100 psig.

b) The operator's written procedures also states the following:

"5.3.2.4 Method of Insertion

The inserted plastic pipe may be installed by pushing, pulling or a combination of pushing and pulling into the hole, casing or old gas pipe. If the new line is pulled, the tensile loading should not exceed ½ the tensile strength of the inserted pipe. A rule of thumb to use for pulling is to attach a smaller sized (next size smaller) section of pipe, at least ten pipe diameters in length on the lead end of the pipe to be installed. Then pull on the lead end of the smaller pipe."

BCCI, a contractor of DP&L, was directionally drilling 2" MDPE main along Jobs Lane in Newark DE. Upon arrival at the construction site the PSC Inspector asked the project lead to see the weak link being used. The project lead, Patrick Dougherty, stated that he was using a 2" K-swivel. He was questioned on if the swivel had any pins or had a rating capacity. The personnel stated it had no pins or rated capacity. A method was not used to reduce the tensile loading during directionally drilling.

13. Public and/or environmental concerns in area of violation:

When a contractor working for the operator does not follow the Operator's written procedures, the safety of the operator personnel and the public are at risk.

14a. Person Interviewed: Suzanne Topor of DP&L **Title:** Supervisor Gas, Gas Engineering

14b. Comments of person interviewed: Per email dated July 12, 2019 at 1:53 pm

"There are a total of 5 services that the operators have admitted to testing at the wrong pressure. These 5 services will be dug back up and re-tested at the proper pressure."

14c. Person Interviewed: Suzanne Topor of DP&L **Title:** Supervisor Gas, Gas Engineering

14d. Comments of person interviewed: Per email dated July 15, 2019 at 4:52 pm

"Correction there are six services in question the install dates of 7/9/19 & 7/10/19."

14e. Person Interviewed: Suzanne Topor of DP&L **Title:** Supervisor Gas, Gas Engineering

14f. Comments of person interviewed: Per email dated July 22, 2019 at 3:58 pm

"Chavis,

AUI will be back on site in Rolling Meadows tomorrow to begin the remedy of the main to include the services that need to be re-air tested.

Beginning on Tuesday, AUI & Delmarva will be sectioning off the main to incorporate all six services. The main will be squeezed off, purged, and cut & capped. Main will be placed on air on Tuesday, to include the services for 24 hours at 100 psi.

On Wednesday the main will be tied back in and reintroduced to gas. Tuckahoe (sub contractor) will be back in the neighborhood directionally boring services in and will continue on Thursday."

14g. Person Interviewed: Patrick Dougherty of BCCI **Title:** Project Lead

14h. Comments of person interviewed: July 11, 2019

A 2" k-swivel was being used on the directional drill. The swivel had no pins or rating capacity.

14i. Person Interviewed: Suzanne Topor of DP&L **Title:** Supervisor Gas, Gas Engineering

14j. Comments of person interviewed: Per email dated August 12, 2019 at 10:43 am

"Chavis,

Communications were made to all current contractors performing work on our Gas system on the proper and acceptable use of weak links.

Thanks!"

Continuation Sheet
Violation No. 4

11a. CFR § Violated: 49 CFR 192.13(a)(1) - What general requirements apply to pipeline regulated under this part?

11b. Summarize what the regulation requires that operator did not do:

Operator operated a pipeline after March 12, 1971 which was not constructed in accordance with regulations.

12. Provide detailed information about the violation:

The pressure test at the following locations were not tested at least 150% of MAOP: 816 Percheron Drive, 821 Percheron Drive, 822 Percheron Drive, 823 Percheron Drive, 925 Clydesdale Drive, and 934 Clydesdale Drive. The MAOP of the system is 60 PSIG which should be pressure tested at a minimum of 90 PSIG. Under Delmarva's Construction O&M it states pressure testing of service lines should be at 90 to 100 PSIG (G8.8, 5.2.1).

13. Public and/or environmental concerns in area of violation:

The safety of the public is of concern when the construction of a pipeline is not accurately constructed and when regulations/procedures are not being followed.

14a. Person Interviewed: Suzanne Topor of DP&L

Title: Supervisor Gas, Gas Engineering

14b. Comments of person interviewed: Per email dated July 12, 2019 at 1:53 pm

"There are a total of 5 services that the operators have admitted to testing at the wrong pressure. These 5 services will be dug back up and re-tested at the proper pressure."

14c. Person Interviewed: Suzanne Topor of DP&L

Title: Supervisor Gas, Gas Engineering

14d. Comments of person interviewed: Per email dated July 15, 2019 at 4:52 pm

"Correction there are six services in question the install dates of 7/9/19 & 7/10/19."

14e. Person Interviewed: Suzanne Topor of DP&L

Title: Supervisor Gas, Gas Engineering

14f. Comments of person interviewed: Per email dated July 22, 2019 at 3:58 pm

"Chavis,

AUI will be back on site in Rolling Meadows tomorrow to begin the remedy of the main to include the services that need to be re-air tested.

Beginning on Tuesday, AUI & Delmarva will be sectioning off the main to incorporate all six services. The main will be squeezed off, purged, and cut & capped. Main will be placed on air on Tuesday, to include the services for 24 hours at 100 psi.

On Wednesday the main will be tied back in and reintroduced to gas. Tuckahoe (sub contractor) will be back in the neighborhood directionally boring services in and will continue on Thursday."

Continuation Sheet

Violation No. 5

11a. CFR § Violated: 49 CFR 192.329 - Installation of plastic pipelines by trenchless excavation.

11b. Summarize what the regulation requires that operator did not do:

When pulling pipe through the ground a weak link must be used to ensure the pipeline will not be damaged by any excessive forces during pulling process. The contractor while directionally drilling 2" MDPE pipe was not using a weak link as defined by 49 CFR 192.3.

12. Provide detailed information about the violation:

When the PSC Inspector arrived onsite the contractor was about to perform the last directional drill shot outside 6 Jobs Lane in Newark, DE. The contractor's project manager, Patrick Dougherty, was questioned on what weak link he was using. Mr. Dougherty stated he was using a 2" swivel. He was then questioned on if the swivel had any pins or had a rated capacity. He replied that the swivel did not have a pin and had no rating capacity.

13. Public and/or environmental concerns in area of violation:

The safety of the public is of concern when the pipeline was pulled without a weak link. Unknown stresses could have been applied to the main as it was being pulled back.

14a. Person Interviewed: Patrick Dougherty of BCCI

Title: Project Lead

14b. Comments of person interviewed: July 11, 2019

A 2" k-swivel was being used on the directional drill. The swivel had no pins or rating capacity.

14c. Person Interviewed: Suzanne Topor of DP&L

Title: Supervisor Gas, Gas Engineering

14d. Comments of person interviewed: Per email dated August 12, 2019 at 10:43 am

"Chavis,

Communications were made to all current contractors performing work on our Gas system on the proper and acceptable use of weak links.

Thanks!"

15. Supporting Documents/Materials

Item No.	Description (Include date)	Source of Documents	Remarks
1	Email from Suzanne Topor on July 12, 2019 at 7:41 am.	Suzanne Topor	Services not properly locked off
2	Email from Suzanne Topor on July 12, 2019 at 1:53 pm.	Suzanne Topor	DP&L agrees that barrel locks should be used, and 5 services were not pressure tested properly.
3	Email from Suzanne Topor on July 15, 2019 at 4:52 pm.	Suzanne Topor	DP&L listed the gas services installed by AUI and corrected actual services not tested properly to 6.
4	Email from Suzanne Topor on July 22, 2019 at 3:58 pm.	Suzanne Topor	DP&L advises the scope and schedule of work to be performed to correct potential violations.
5	Email from Suzanne Topor on August 12, 2019 at 10:43 am.	Suzanne Topor	DP&L communicated with all contractors on proper weak links.

16. Inspector's Signature:

Date:

A handwritten signature in blue ink, appearing to read "H. A. V. S.", is written over a horizontal line.

8/12/2019

17. Compliance History

		Describe Violation/ Noncompliance	CPF No. Date WL	Outcome
Date	Place			
3/10/2016	Pearl Street, Wilmington, DE	Written Warning - Potential Violation Barrel locks not used to secure risers.	3/15/2016	Operator corrected and provided photographs.

18. Gravity of Offense19. Degree of Culpability

Fair

20. Ability to Continue in Business

Excellent

21. Ability to Pay

Good

22. Good Faith in Attempting to Achieve Compliance23a. Proposed Remedy

☒ Warning Letter
☐ Civil Penalty: Recommended Amount \$ TBD
☐ Compliance Order
☐ Hazardous Facility Order
☐ Notice of Amendment of O&M Plan

23b. Analysis of Proposed Remedy

24. Regional Director's Signature:

Date:

U.S. Department of Transportation
Office of Pipeline Safety
Eastern Region

EXHIBIT TAB
Name of Operator

Exhibit No.

Evidence	Obtained from	Identifying Witness

Investigator Name	Title
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**STATE OF DELAWARE
PUBLIC SERVICE COMMISSION**

861 SILVER LAKE BOULEVARD
CANNON BUILDING, SUITE 100
DOVER, DELAWARE 19904

TELEPHONE: (302) 736-7500
FAX: (302) 739-4849

March 15, 2016

SENT VIA EMAIL AND BY REGULAR U.S. MAIL

Mr. Robert M. Collacchi, Jr., Director, Gas Operations and Engineering
Delmarva Power & Light Company
500 North Wakefield Drive
Newark, DE 19702

RE: Written Warning- Potential Violation of 26 Del. Admin. C. §8001 occurring on 3/11/16

Dear Mr. Collacchi:

This letter serves as a Written Warning to Delmarva Power & Light Company (the "Operator") of potential violations of the State of Delaware's Rules to Establish an Intrastate Gas Pipeline Safety Compliance Program; **26 Del. Admin. C. §8001** (the "Regulations"). The Regulations, at a minimum, enforce the standards set forth in the Federal Pipeline Safety Regulations, Title 49, U.S. Code of Federal Regulations, Parts 190-193 and 198-199.

On March 10, 2016, a field inspection of the Operator's facilities was conducted by Bob Schaeffen of the Public Service Commission Staff (the "Staff") as witnessed by Jim Anderson of the federal Pipeline and Hazardous Material Safety Administration ("PHMSA") on Pearl Street in Wilmington, Delaware. After the inspection, Mr. Schaeffen and I felt it necessary to return to the location on March 11, 2016, to confirm some findings. On this second site inspection, Mr. Schaeffen and I were able to confirm that none of three possible methods were being utilized to prevent the unauthorized flow of gas on a newly installed service line not in use as required by **49 C.F.R. §192.379**. After speaking with several of the Operator's employees on site, they agreed to place a lock on the closed valve at the end of the work day. This is one of the three possible methods mentioned in **49 C.F.R. §192.379**, and it is certainly acceptable. Pictures of the conditions found on Pearl Street have previously been sent via e-mail to Robert Kitson of Delmarva, and these are available upon request.

Upon leaving the Pearl Street site, we drove past some buildings on Church Street in Wilmington, Delaware, where the meters were installed in such a manner that the bodies of the meters are in contact with the ground and, in some cases, below ground level. This condition allows for corrosion of the meter and is a violation of **49 C.F.R. §192.353(a)**. After notifying Robert Kitson about this condition and providing pictures via e-mail, he immediately agreed to correct this condition within 30 days.

Considering all of the circumstances, potential outcomes, and the Operator's responses, Staff is issuing this Written Warning under the authority of **49 C.F.R. §190.205** and as an offer of an Informal Disposition of these Potential Violations under **26 Del. Admin. C. §8001-4.0**. For the potential violation

Robert M. Collacchi, Jr., Delmarva Power & Light Company
March 15, 2016
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of 49 C.F.R. §192.379, Staff would like to see evidence, such as a picture, that the locks were, in fact, installed. For the potential violation of 49 C.F.R. §192.353(a), Staff would like to be provided with written notification once this condition has been corrected, and we will perform a follow-up inspection to confirm.

If these potential violations are resolved to the satisfaction of Staff, this matter will be considered closed. However, if the above-mentioned corrective actions are not taken, Staff may rescind this Written Warning, and the Operator may be subject to enforcement action by the Commission.

Sincerely,

A handwritten signature in black ink, appearing to read "Gerald D. Platt". The signature is fluid and cursive, with a large initial "G" and a long horizontal stroke at the end.

Gerald D. Platt, Program Manager

cc: Julie Donoghue, Deputy Attorney General
Robert Kitson, Gas Engineering Manager, Delmarva Power & Light Company